

## CHAPTER 214

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**HEALTH CARE POLICY AND FINANCING**

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## SENATE BILL 08-118

BY SENATOR(S) Keller, Johnson, Morse, Boyd, Gibbs, Isgar, Sandoval, Shaffer, Tochtrop, Tupa, Veiga, Williams, and Windels; also REPRESENTATIVE(S) Buescher, Pommer, White, Borodkin, Frangas, Labuda, McFadyen, Roberts, Solano, Stafford, and Todd.

**AN ACT**

**CONCERNING AN ANNUAL TRANSFER OF MONEYS TO PAY FOR MEDICAID DISEASE MANAGEMENT PROGRAMS, AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH.**

*Be it enacted by the General Assembly of the State of Colorado:*

**SECTION 1.** 24-22-117 (2) (d) (V), Colorado Revised Statutes, is amended, and the said 24-22-117 (2) (d) is further amended BY THE ADDITION OF A NEW SUBPARAGRAPH, to read:

**24-22-117. Tobacco tax cash fund - accounts - creation.** (2) There are hereby created in the state treasury the following funds:

(d) (IV.5) FOR FISCAL YEAR 2008-09, AND EACH FISCAL YEAR THEREAFTER UNTIL AND INCLUDING FISCAL YEAR 2012-13, AFTER THE ALLOCATION AND TRANSFER REQUIRED BY SUBPARAGRAPHS (II) AND (III) OF THIS PARAGRAPH (d), OF THE MONEYS IN THE PREVENTION, EARLY DETECTION, AND TREATMENT FUND, TWO MILLION DOLLARS SHALL BE TRANSFERRED TO THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING FOR MEDICAID DISEASE MANAGEMENT AND TREATMENT PROGRAMS, AUTHORIZED BY SECTION 25.5-5-316, C.R.S., THAT ADDRESS CANCER, HEART DISEASE, AND LUNG DISEASE OR THE RISK FACTORS ASSOCIATED WITH SUCH DISEASES.

(V) For fiscal year ~~2005-06~~ 2008-09 and each fiscal year thereafter, after the allocation of the moneys pursuant to subparagraphs (II), (III), and ~~(IV)~~ (IV.5) of this paragraph (d), moneys in the prevention, early detection, and treatment fund shall be annually appropriated by the general assembly to the prevention services division of the department of public health and environment for the cancer, cardiovascular disease, and chronic pulmonary disease prevention, early detection, and treatment

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

program established in part 3 of article 20.5 of title 25, C.R.S.

**SECTION 2.** 25.5-5-316 (2), Colorado Revised Statutes, is amended to read:

**25.5-5-316. Legislative declaration - state department - disease management programs authorization - report.** (2) The state department, IN CONSULTATION WITH THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, is authorized to develop and implement disease management programs, for fee-for-service and primary care physician program recipients, that are designed to address over- or under-utilization or the inappropriate use of services or prescription drugs and that may affect the total cost of health care utilization by a particular medicaid recipient with a particular disease or combination of diseases. The disease management programs shall target medicaid recipients who are receiving prescription drugs or services in an amount that exceeds guidelines outlined by the state department. The state department shall not restrict a medicaid recipient's access to the most cost-effective and medically appropriate prescription drugs or services. The state department may contract on a contingency basis for the development or implementation of the disease management programs authorized in this subsection (2).

**SECTION 3. Appropriation.** In addition to any other appropriation, there is hereby appropriated, to the department of health care policy and financing, for allocation to the medical services premiums division, medical services premiums, for the fiscal year beginning July 1, 2008, the sum of two million dollars (\$2,000,000) reappropriated funds, or so much thereof as may be necessary, for the implementation of this act. Said sum shall be a transfer from the department of public health and environment pursuant to section 24-22-117 (2) (d) (IV.5). In addition to said appropriation, the general assembly anticipates that, for the fiscal year beginning July 1, 2008, the department of health care policy and financing will receive the sum of two million dollars (\$2,000,000) in federal funds for the implementation of this act. Although the federal funds are not appropriated in this act, they are noted for the purpose of indicating the assumptions used relative to these funds in developing state appropriation amounts.

**SECTION 4. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: May 14, 2008